

IN THE DRAWINGS:

A Letter to the Official Draftsman is attached with proposed drawing corrections to Figures 4A, 4B, 5A and 5B.

The attached sheets of drawings includes changes to Figs. 4A, 4B, 5A and 5B. These sheets, which include Figs. 4A, 4B, 5A and 5B replace the original sheets of Figs. 4A, 4B, 5A and 5B.

REMARKS

In the Office Action, the drawings were objected to. Claims 1 and 3 were objected to. Claims 1-5 were rejected under 35 USC §102(b) as being anticipated by Evans et al.

The Examiner has pointed out that the Evans patent discloses a measuring instrument 10, ... the instrument 10 moving an object 12 to be measured parallel to the X, Y, and Z axes, ... (See page 4, lines 6-5 from the bottom).

However, the embodiment in Evans shows that a stylus 16 moves parallel to the X, Y and Z axes, the object 12 being held in the Z axial direction and rotating around the Z axis.

Claim 1 definitely describes "a body for supporting the object to be measured, which can move in the Z axial direction and rotate around the Z axis ..." (See Specification; page 4, lines 14-20).

Evans teaches the object 12 is held to stay at a position during measurement, whereas the claimed invention shows a measuring instrument which can move the object W in the Z axial direction and rotate around the Z axis during measurement.

Therefore, the claimed invention is distinguished from Evans and is patentable.

The claimed invention is also distinguished from Evans based upon the following difference:

Evans teaches a measuring system having two symmetrical planes as shown in attached drawing Fig. A, while the instrument according to the claimed invention has one symmetrical plane as shown in attached Fig. B.

Due to the difference between the claimed invention and Evans, the claimed invention is superior to Evans in symmetry, because it is clearly easier to handle the work W and measuring element P in one plane, according to the claimed invention, than to handle them in two planes and in addition to keep the two planes parallel, as must be done in Evans.

Therefore, the claimed invention should not be rejected as being anticipated by Evans.

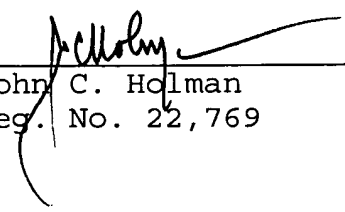
Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

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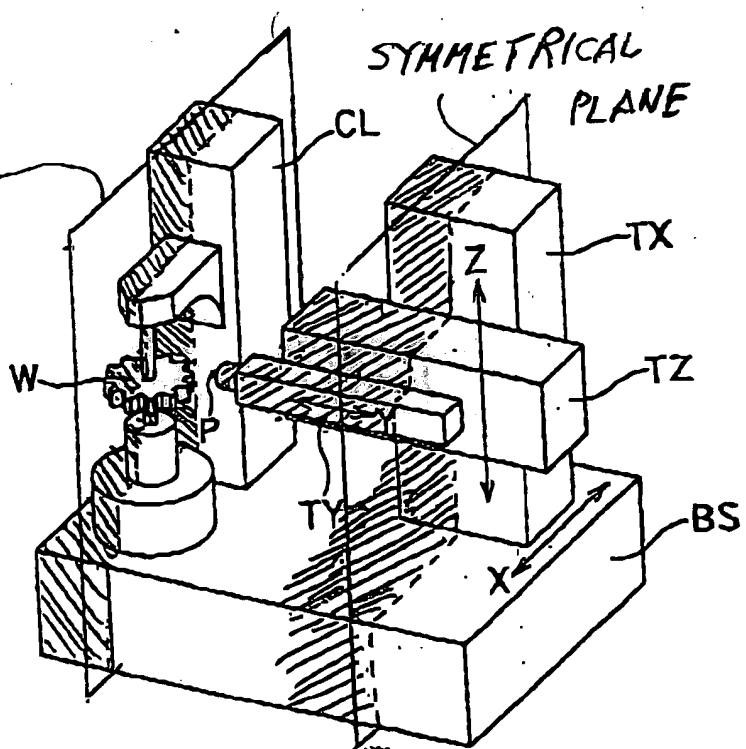
Date: April 12, 2005
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SYMMETRICAL
PLANE

SYMMETRICAL
PLANE

FIG. A



SYMMETRICAL PLANE

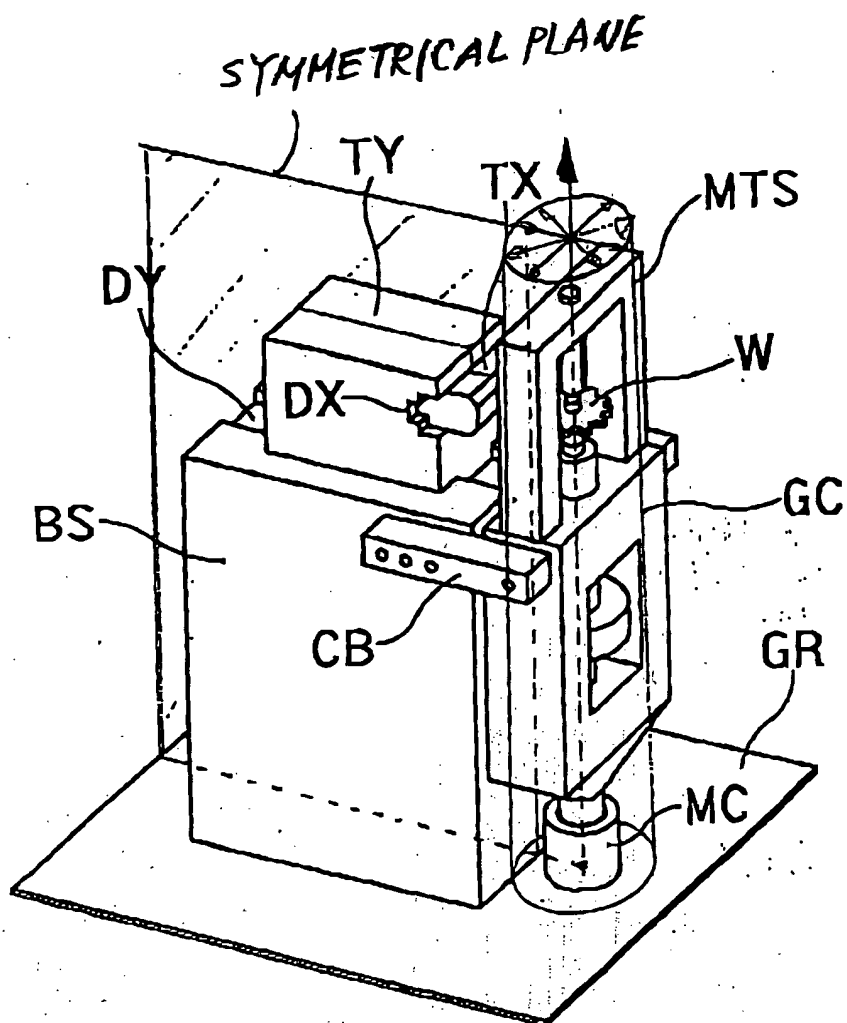


FIG. B

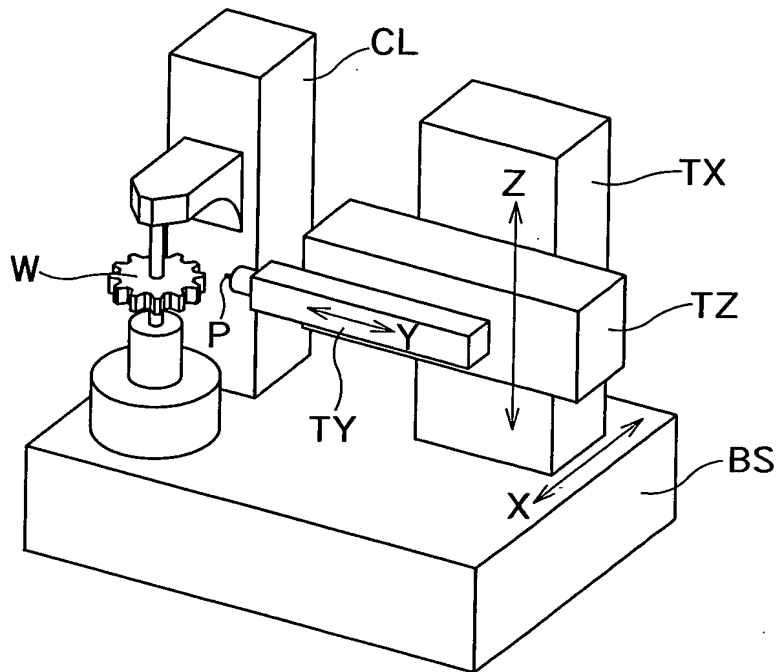


FIG. 4A
PRIOR ART

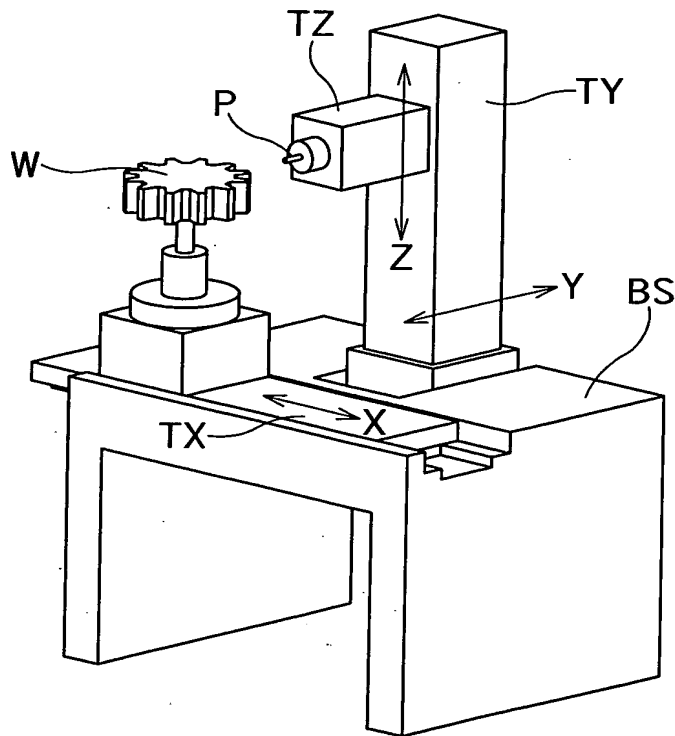


FIG. 4B
PRIOR ART

ANNOTATED SHEET SHOWING CHANGE



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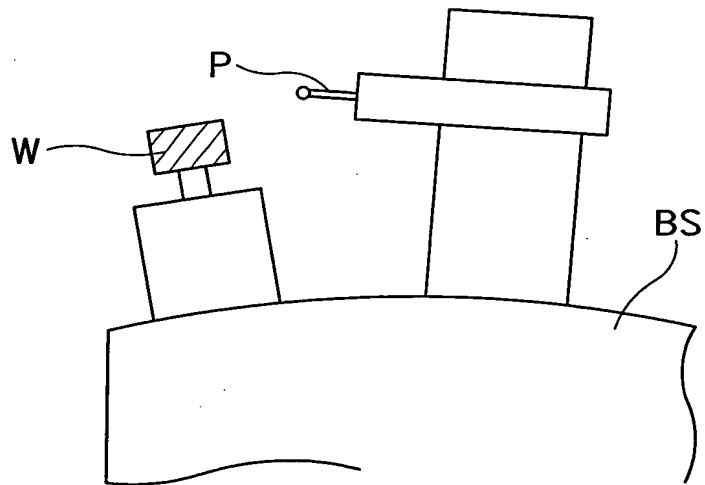


FIG. 5A
PRIOR ART

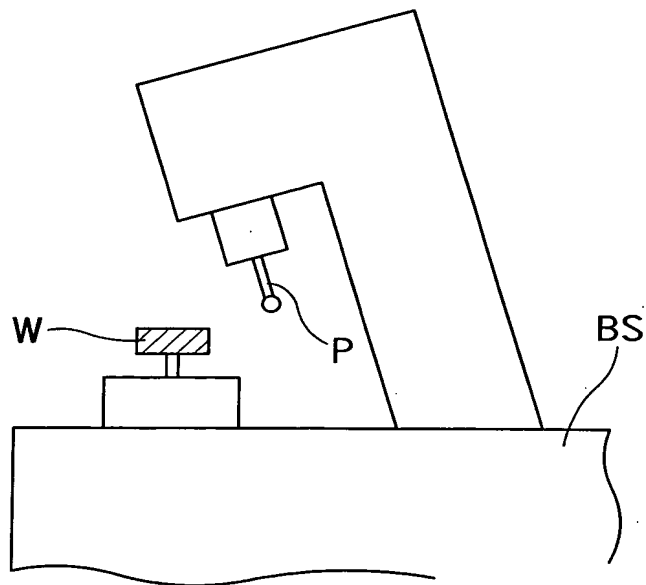


FIG. 5B
PRIOR ART